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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/313,225	05/17/1999	KENNETH S. MCELVAIN	02986.P006	3604

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EXAMINER

AUDUONG, GENE NGHIA

ART UNIT	PAPER NUMBER
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2818

DATE MAILED: 03/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/313,225

Applicant(s)

MCELVAIN ET AL.

Examiner

Gene N Auduong

Art Unit

2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-73 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 2818

***Response to Response***

The Declaration of Prior Invention in The Unit States filed on January 15, 2002 under 37 CFR 1.131 is sufficient to overcome the Eng (U.S. Patent No. 6,145,117) reference.

***Information Disclosure Statement***

Receipt is acknowledged of the Information Disclosure Statement (IDS #3), filed on August 20, 2001.

***Claim Objections***

Claims 1, 20, 32 and 51, the phrase “allocating A PORTION of an area of said IC to a SPECIFIC PORTON” is unclear to what application intends to mean. Correction is requested.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-73 are rejected under 35 U.S.C. 102(b) as being anticipated by Beausang et al. (U.S. Pat. No. 5,696,771).

Beausang et al. disclose a method and apparatus for performing partial unscan and near full scan within design for test application comprising: a display device 105; a memory (102, 103 and 104); a processor 101 coupled to the memory and to the display device, the processor allocating a specific portion of a technology independent RTL (register transfer level) netlist to a portion of the IC, the technology independent RTL netlist being stored in the memory, wherein the processor compiles a hardware description language (HDL) code to produce the technology

Art Unit: 2818

independent RTL netlist and wherein the allocating restricts circuitry created from the specific portion to the portion of the IC; wherein the IC comprises one of a programmable logic device or an ASIC or wherein the processor maps the technology independent RTL netlist to a selected technology architecture, wherein the processor maps the technology independent RTL netlist after the processor performs the allocating, wherein the processor performs a place and route operation after the processor maps the technology independent RTL netlist, wherein the place and route operation creates a representation of circuitry in the selected technology architecture, wherein the processor optimizes a design of the IC after the processor performs the allocating, wherein the processor maps the technology independent RTL netlist after the processor performs the allocating or wherein the processor maps portions of the technology independent RTL netlist to the selected technology architecture to generate estimates of IC resources, wherein the processor maps the portions after the processor compiles the HDL code, wherein the processor displays the estimates on the display device and stores the estimates in the memory, wherein the processor displays graphical representations of the area of the IC on the display device and displays on the display device representations of portions of the technology independent RTL netlist and wherein the processor performs the allocating in response to a command from a user, wherein estimates of area requirements of the portions of the technology independent RTL netlist are displayed on the display device (col. 8, lines 8+; col. 14, lines 9+ its related description).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2818

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gene N Auduong whose telephone number is (703) 305-1343.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (703) 308-4910. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



GA  
March 11, 2002

*Hoai V. Ho*  
*Primary Examiner*  
*A. U. 2818*